

Dated: 3/05

CITY OF DETROIT ETHICS ORDINANCE EXCERPTS

Sec. 2-6-3. Definitions.

Exercises significant authority means having the ability to influence the outcome of a decision on behalf of the City of Detroit government in the course of the performance of a public servant's duties and responsibilities.

Immediate family means:

- (1) A public servant's spouse; or
- (2) A public servant's domestic partner; or
- (3) A public servant's relative by marriage, lineal descent, or adoption who receives, directly or indirectly, more than one-half (1/2) of his or her support from the public servant, or from whom the public servant receives, directly or indirectly, more than one-half (1/2) of his or her support; or
- (4) An individual claimed by a public servant or a public servant's spouse as a dependent under the United States Internal Revenue Code, being 26 USC 1 et seq.

Ownership interest means a financial or pecuniary interest that a public servant has in the affairs of 1) any business entity in which the public servant or a member of his or her immediate family is an officer, director, member, or employee; 2) any business entity in which the public servant or a member of his or her immediate family controls, or directly or indirectly owns, in excess of five (5) percent of the total stock or an interest totaling fifty thousand dollars (\$50,000.00) or more in value; or 3) any person or business entity with whom the public servant has a contract.

Public servant means the Mayor, members of the City Council, the City Clerk, any member of any City agency, board, commission, or other voting body that is established by the 1997 Detroit City Charter or by this Code, and any appointee, any employee, or any individual who provides services to the City of Detroit within or outside of its offices or facilities pursuant to a personal services contract.

Sec. 2-6-31. Disclosure of interest in real and personal property.

- (a) In accordance with Subsections (b) or (c) of this section, a public servant who exercises significant authority in the course of his or her duties over a decision by the City regarding the purchase, sale, lease, zoning, improvement, special designation, tax assessment or abatement, or development agreement with respect to any real property, or the purchase, sale, or lease of any personal property, shall disclose any ownership interest that he or she, or his or her immediate family, has concerning such real or personal property.
- (b) Where the circumstances in Subsection (a) of this section exist, prior to a decision regarding such real or personal property that is made by the Mayor, the City Clerk, an appointee, an employee, or individual who provides services to the City pursuant to a personal services contract, disclosure of an ownership interest therein shall be made on a form that shall be created by the Law Department, made available at the office of the City Clerk and at each City department and agency, and filed upon completion at the office of the City Clerk and with the respective City department director or agency head. Upon filing the City Clerk shall transmit the completed form to the respective department director or agency head. Where the City Council takes action on an item that relates to such disclosure, following the action taken, the form shall be published in the journal of the City Council.
- (c) Where the circumstances in Subsection (a) of this section exist, prior to a decision regarding such real or personal property that is made by the City Council or by an authority, board, commission or agency of the City, such written disclosure shall be made a part of the minutes of the body on which the member who is making the disclosure serves. Immediately thereafter, the relevant portions of the minutes of such body shall be transcribed and attached to the form that shall be created by the Law Department, made available at the office of the City Clerk, and filed upon completion at the Office of the City Clerk. Upon the filing of the completed form, the City Clerk shall transmit the form to the City Council for publication in the Journal of the City Council.

Sec. 2-6-32. Disclosure of interest in City contracts.

- (a) In accordance with Subsections (b) or (c) of this section, a public servant who exercises significant authority in the course of his or her duties over the solicitation, negotiation, approval, amendment, performance or renewal of a City contract shall disclose any ownership interest that he or she, or his or her immediate family, has concerning such City contract.
 - (b) Where the circumstances in Subsection (a) of this section exist, prior to a decision regarding such City contract that is made by the Mayor, the City Clerk, an appointee, an employee, or individual who provides services to the City pursuant to a personal services contract, such disclosure of an ownership interest therein shall be made on a form that shall be created by the Law Department, made available at the office of the City Clerk and at each City department and agency, and filed upon completion at the office of the City Clerk and with the respective City department director or agency head. Upon filing, the City Clerk shall transmit the completed form to the City Council, which shall refer a copy of the form to the respective department director or agency head. Where the City Council takes action on an item that relates to such disclosure, following the action taken, the form shall be published in the journal of the City Council.
 - (c) Where the circumstances in Subsection (a) of this section exist, prior to a decision that is made by the City Council or by an authority, board, commission or agency of the City regarding such City contract, such written disclosure shall be made a part of the minutes of the body on which the member who is making the disclosure serves. Immediately thereafter, the relevant portions of the minutes of such body shall be transcribed and attached to the form that shall be created by the Law Department, made available at the Office of the City Clerk, and filed upon completion at the office of the City Clerk. Upon the filing of the completed form, the City Clerk shall transmit the form to the City Council for publication in the journal of the City Council.
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